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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.        | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------------|------------------|
| 10/526,423   | 03/01/2005  | Martin Landwehr      | 6400-0042WOUS              | 3272             |
| 49698  | 7590        | 10/12/2006           | EXAMINER                   |                  |
| MICHAUD-DUFFY GROUP LLP<br>306 INDUSTRIAL PARK ROAD<br>SUITE 206<br>MIDDLETOWN, CT 06457 |             |                      | BARRETT, SUZANNE LALE DINO |                  |
|  |             |                      | ART UNIT                   | PAPER NUMBER     |
|  |             |                      | 3676                       |                  |

DATE MAILED: 10/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/526,423

Applicant(s)

LANDWEHR, MARTIN

Examiner

Suzanne Dino Barrett

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7, 9-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 1,227,448 in view of Canals et al 4,302,907. EP '448 teaches (Fig. 2 embodiment) a safe 2 comprising an outer door 18' hinged together with an inner door 20', the inner door having a cutout portion to allow access to certain interior spaces 14,16 and further having a safe lock mechanism 19' for the outer door and a lock mechanism 21' for the inner door. EP '448 fails to teach the use of a single lock mechanism for both the inner and outer doors. Canals et al teach a door assembly comprising inner and outer doors (1,2), one of the doors (2) having a cutout (10) for allowing access therethrough. A single mechanical key lock mechanism controls unlocking of either or both of the doors. It would have been obvious to modify the safe of EP '448 by providing a single lock mechanism as taught by Canals et al to consolidate the locking means and reduce the number of parts in order to allow retrofitting of the locks.
3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over EP '448 in view of Canals et al '907, as applied to claim 7 above, and further in view of Craven et al 5,143,430. Craven et al teach the concept of different employees accessing

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different parts of the safe, i.e. the refrigerated portion behind the inner door 22 to replace goods or the control panel portion behind the outer door 18. It would have been obvious to provide the safe lock of EP '448, as modified by Canals et al, with a hierarchical entrance lock system as contemplated by Craven et al and as well known in the lock art to provide selective access to various safe compartments as desired.

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over EP '448 in view of Canals et al '907, as applied to claim 7 above, and further in view of Fumanelli 5,787,819. Fumanelli further teaches the use of electronic door lock control means (5a) on a safe 3. It would have been obvious to one of ordinary skill in the art given the teaching of Fumanelli, to substitute electronic lock means for the mechanical means of EP '448, as modified by Canals et al, as a means of enhancing the security of the safe.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 7, 9-11 have been considered but are moot in view of the new ground(s) of rejection. In response to Applicant's amendment incorporating the limitation of claim 8 into claim 7, claim 7 is now rejected in view of EP '448 and Canals. Contrary to Applicants arguments, Canals et al does teach opening either the outer door 1 (Figure 2) or both doors 1,2 (Figure 3) using the same outer lock assembly 7, as shown in Figures 2 and 3. Accordingly, Applicant's arguments are not persuasive and claims 7,9-11 stand rejected.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

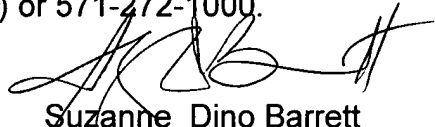
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne Dino Barrett whose telephone number is 571-272-7053. The examiner can normally be reached on M-Th 8:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Suzanne Dino Barrett  
Primary Examiner  
Art Unit 3676

sdb